

### REMARKS

Applicant requests reconsideration and further examination of this application.

In response to the Examiner's point 3, former claims 5 and 15 have been deleted.

In her point 5, the Examiner relies upon prior art document GB 2,332,630 (Young), and in her point 6 she relies upon prior art document US 5,527,185 (Davis) to argue against the novelty of the present claims. In light of those newly-cited documents, the Applicant has amended Claim 1 to include the features "each target being mounted upon a base member, the targets having a plurality of mounting positions upon the base member, the targets being movable between the respective mounting positions so as to move the targets forwards or backwards relative to the training area".

In Young, the targets are movable relative to the base member to the extent that they are releasable therefrom (see the official action, page 3, in relation to claim 6), but they do not have a plurality of mounting positions upon the base member between which they may be moved so as to be moved forwards and backwards relative to the training area.

In Davis, the targets are movable vertically so as to change the height of the mannequin, and since the mannequins are not mounted upon a common base member they are individually moveable forwards and backwards, but Davis does not provide a training apparatus in which the targets are movable between the respective mounting positions so as to move the targets forwards or backwards relative to the training area.

Accordingly, it is submitted that Claim 1 as amended is novel.

The advantage of providing a training apparatus with targets which are movable forwardly and backwardly upon the base member is clear in the context of training a player in a ball sport such as soccer, when team-mates and opponents would typically be at variable distances away from the player and a ball passed to a particular player (i.e. struck at a particular

target) will take a variable period of time to be returned (rebound) to the player. Being able to set up the training apparatus with variable distances to the targets therefore more closely replicates a real situation the player may wish to train for. Also, a younger or more inexperienced player will likely require more time to adjust to the ball as it rebounds from a target and to strike it against another target, whereas a more experienced player will have better balance and require less time to adjust to the rebound. The targets can therefore be placed further away from the less experienced player and closer to the more experienced player, in accordance with their respective levels of skill. Since the mounting positions of the targets upon the base member are predefined, the apparatus can readily be set up for a player exactly as in previous practice sessions, and different players can readily be compared with one another, without having to measure the distances to each target around the training area.

Neither of the prior art documents relied upon discloses or suggests the ability to move the targets between predetermined mounting positions upon the base member in the forwards and backwards directions relative to the training area, and since such an arrangement offers the above-stated technical advantages over the prior art arrangements, it is submitted that Claim 1 is inventive.

It is therefore also submitted that dependent Claims 2-4, 10 and 11 are similarly novel and inventive.

In view of the FINAL nature of the official action, Claim 7 has been made an independent claim, since it is believed that this Claim is independently novel and inventive, whether or not the Examiner accepts the amendments and arguments submitted in relation to Claim 1.

Claim 7 includes all of the features of Claim 1 as amended, with the additional feature that the base member is in the form of a substantially circular ring surrounding the training area. In the official action (at page 3 in relation to Claim 7) the Examiner argues that Young discloses the feature of Claim 7, but it is submitted that such an interpretation is not correct. Young does

disclose (in Figs. 1,2, 6 and 8 a semi-circular arrangement of targets, and other arrangements in other figures, but does not disclose an arrangement having a greater circumferential length than semi-circular. Accordingly, the apparatus of Young does not describe an apparatus in which the base member is in the form of a substantially circular ring surrounding the training area. Instead, Young describes a part-circular segment of a ring which (because it is not a closed structure) does not “surround” anything.

The advantage of using a substantially circular (and closed) ring which surrounds the training area is clear, in that a player can be required to rotate through up to 180° (in either direction) after receiving a rebounding ball, so as to pass the ball in any direction, which closely replicates a typical situation in basketball, soccer or field hockey for example. Also, in those embodiments having a retaining means such as a net between the targets, the net can completely surround the training area making it unlikely that a rebounding ball which is missed by the player, or a ball which is struck by the player in a direction other than at a target, will leave the training area and have to be retrieved. The delay incurred in retrieving such a ball could significantly reduce the effectiveness of a training session.

Davis discloses the use of discrete mannequins and does not disclose a common base member at all, and accordingly does not disclose a base member in the form of a substantially circular ring which surrounds the training area.

Accordingly, it is submitted that Claim 7 as amended, which requires a closed ring which completely surrounds the training area, is both novel and inventive over the cited prior art documents.

In the official action the Examiner had argued that former Claim 8 was anticipated because both of Young and Davis disclose identifying indicia. The Applicant accepts that these documents disclose the use of indicia for the targets, but does not accept that they disclose “identifying indicia” according to the present application, since the term “identifying indicia” is used to define indicia such as numerals, names or letters which can be used to distinguish each

target from the other targets (see page 2, feature number 2, and page 6 lines 21-25 of the application as filed). To clarify this distinction, Claim 8 has been amended to include the feature “the identifying indicia being different for each target”.

The use of identifying indicia as now defined allows a player being trained to be instructed audibly or visibly at which of the targets the ball should be directed, and a trainer can issue a series of instructions comprising the names, numbers or letters of a chosen sequence of targets to be struck, at a speed which will increase with the player’s speed and accuracy.

In view of the FINAL nature of the official action, Claim 8 has been made an independent claim, since it is submitted that this Claim is independently novel and inventive, whether or not the Examiner accepts the amendments and arguments submitted in relation to Claims 1 and 7 above.

Dependent claim 9 is similarly novel and inventive.

In the official action, the Examiner argues that present method Claim 12 is anticipated by the normal use of an apparatus of Young and Davis. The Applicant does not believe that objection to be correct. As worded, present Claim 12 includes the features: “the targets being positioned and adapted such that a ball struck by the player against a target will rebound into the training area so that the player can immediately strike the ball at the same or another target”, and “the player delivering the ball against a target, receiving the rebounding ball and delivering the ball against another target”. Neither Young nor Davis discloses either of these features and so this Claim is not anticipated by these prior art documents. In Young, the player kicks the targets directly and there is no ball. In Davis, the targets are placed in positions in which the player seeks to avoid striking them, i.e. the exact antithesis of the method of the present invention. Even if the player being trained by the apparatus of Davis does inadvertently strike a ball at the target he does not (in normal use of the Davis apparatus and according to the teaching of Davis) receive the rebounding ball and deliver the ball against another target as required by Claim 12.

Claim 12 has been amended to clarify the provision of a ball, and so to clarify the distinction over Young in particular.

Thus, neither Young nor Davis discloses or suggests a method of training a player according to Claim 12, so that the method of this claim is both novel and inventive.

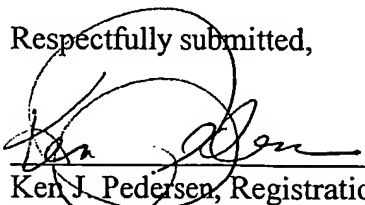
In view of the FINAL nature of the official action, a new method Claim 21 has been introduced, including the limitations of method Claim 12 and apparatus Claims 1 and 7. It is submitted that this Claim is independently novel and inventive, whether or not the Examiner accepts the amendments and arguments submitted in relation to the other independent Claims.

In addition, the Applicant has taken the opportunity to add the phrase "which can be" at line 4 of claim 1, and also to amend Claims 19 and 20 into conformity with Claim 12 upon which they are dependent.

Finally, the title "TRAINING APPARATUS" has been deleted from the ABSTRACT as required by the Examiner.

Applicant now believes the application is in condition for allowance and respectfully requests the same.

Respectfully submitted,

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